

**REMARKS/ARGUMENTS**

Claims 35-54 are pending. By this Amendment, claims 35, 44, and 47 are amended. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

The Examiner and his Supervisor are thanked for the courtesies extended to Applicants' representative at the April 30, 2008 personal interview. The points discussed are incorporated herein.

The Office Action rejected claims 35-40, 42-44, 46-52, and 54 under 35 U.S.C. §102(e) as being anticipated by Ogikubo, U.S. Patent Publication No. 2003/0063528. The rejection is respectfully traversed.

Independent claim 35 has been amended to recite, *inter alia*, storing a plurality of resume marks for a plurality of programs to control each program independently, the plurality of programs corresponding to the provided data, wherein each resume mark includes last playback position information and mark type information, and wherein the mark type information represents whether an associated program is a most recently played program among the plurality of programs having resume marks stored therefor. Independent claim 44 has been amended to recite, *inter alia*, a mark type configured to represent whether an associated program is a most recently played program among a plurality of programs having resume marks stored therefor.

Independent claim 47 has been amended to recite, *inter alia*, storing a plurality of resume marks for a plurality of programs to control each program independently, the plurality of programs corresponding to the provided data, wherein each resume mark includes last playback position information and mark type information, and wherein the mark type information represents whether an associated program is a most recently played program among the plurality of programs having resume marks stored therefor. As discussed at the personal interview, Ogikubo does not disclose or suggest such features, or the respective claimed combinations of independent claims 35, 44, and 47.

That is, Ogikubo discloses an information record and playback apparatus and computer program. Ogikubo teaches storing resume information for each user of an optical disk. Thus, Ogikubo teaches storing one resume information for each user. See Fig. 2 and paragraph [0056]-[0057] of Ogikubo. The resume information is stored with the associated user information and date and time information. See Fig. 2 and paragraph [0056]-[0057] of Ogikubo. When a user again plays the disc, the resume information is updated for the user. See Fig. 3 and paragraphs [0063] of Ogikubo. Ogikubo at least does not disclose or suggest storing a plurality of resume marks for a plurality of programs to control each program independently, the plurality of programs corresponding to the provided data, wherein each resume mark includes last playback position information and mark type information, and wherein the mark type information represents whether an associated program is a most recently played program among

the plurality of programs having resume marks stored therefor, with respect to independent claim 35; a mark type configured to represent whether an associated program is a most recently played program among a plurality of programs having resume marks stored therefor, with respect to independent claim 44; and storing a plurality of resume marks for a plurality of programs to control each program independently, the plurality of programs corresponding to the provided data, wherein each resume mark includes last playback position information and mark type information, and wherein the mark type information represents whether an associated program is a most recently played program among the plurality of programs having resume marks stored therefor, with respect to independent claim 47.

Accordingly, the rejection of independent claims 35, 44, and 47 over Ogikubo should be withdrawn. Dependent claims 36-40, 42-43, 46, 48-52, and 54 are allowable over Ogikubo at least for the reasons discussed above with respect to independent claims 35, 44, and 47, from which they respectively depend, as well as for their added features. Accordingly, this rejection should be withdrawn.

The Office Action rejected claims 41, 45, and 53 under 35 U.S.C. §103(a) as being unpatentable over Ogikubo in view of Well Known Knowledge of the art. The rejection is respectfully traversed.

Dependent claims 41, 45, and 53 are allowable over Ogikubo at least for the reasons discussed above with respect to independent claims 35, 44, and 47, from which they respectively

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depend, as well as for their added features. Accordingly, this rejection should be withdrawn.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

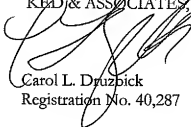
In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
KED & ASSOCIATES, LLP



Carol L. Druzbeck  
Registration No. 40,287

P.O. Box 221200  
Chantilly, Virginia 20153-1200  
703 766-3777 CLD:ilg

**Date: May 14, 2008**

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**Please direct all correspondence to Customer Number 34610**